

**EX. 39**

**U.S. DISTRICT COURT**  
**U.S. District Court, Western District of New York (Buffalo)**  
**CIVIL DOCKET FOR CASE #: 1:15-cv-00049-WMS-HBS**

Black v. Buffalo Meat Service, Inc. d/b/a Boulevard Black Angus  
a/k/a Black Angus Meats a/k/a Black Angus Meats & Seafood et al  
Assigned to: Hon. William M. Skretny  
Referred to: Hon. Hugh B. Scott  
Demand: \$2,000,000  
Cause: 42:2000e Job Discrimination (Employment)

Date Filed: 01/15/2015  
Jury Demand: Plaintiff  
Nature of Suit: 442 Civil Rights: Jobs  
Jurisdiction: Federal Question

**Plaintiff**

**Darcy M Black**

represented by **Josephine A. Greco**  
Greco Trapp, PLLC  
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**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

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716-631-5827  
Email: dschoonmaker@williammattar.com  
**TERMINATED: 04/24/2018**

V.

**Defendant**

**Buffalo Meat Service, Inc. d/b/a Boulevard  
Black Angus a/k/a Black Angus Meats  
a/k/a Black Angus Meats & Seafood**

represented by **Abigail Deirdre Flynn-Kozara**  
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**TERMINATED: 02/05/2016**  
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*LEAD ATTORNEY*

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**Defendant**

**Robert Seibert**

represented by **Abigail Deirdre Flynn-Kozara**

(See above for address)

*TERMINATED: 02/05/2016*

*LEAD ATTORNEY*

**Megan E. Bahas**

(See above for address)

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**Randolph C. Oppenheimer**

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**Sarah Anne O'Brien**

(See above for address)

*LEAD ATTORNEY*

*ATTORNEY TO BE NOTICED*

**Defendant**

**Diane Seibert**

represented by **Abigail Deirdre Flynn-Kozara**

(See above for address)

*TERMINATED: 02/05/2016*

*LEAD ATTORNEY*

**Megan E. Bahas**

(See above for address)

9/15/2019

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*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

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*ATTORNEY TO BE NOTICED*

**Sarah Anne O'Brien**  
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*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Defendant****Keegan Roberts**

represented by **Abigail Deirdre Flynn-Kozara**  
 (See above for address)  
*TERMINATED: 02/05/2016*  
*LEAD ATTORNEY*

**Megan E. Bahas**  
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*LEAD ATTORNEY*  
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**Randolph C. Oppenheimer**  
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**Sarah Anne O'Brien**  
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*ATTORNEY TO BE NOTICED*

<b>Date Filed</b>	<b>#</b>	<b>Docket Text</b>
01/15/2015	<u>1</u>	COMPLAINT against Buffalo Meat Service, Inc. d/b/a Boulevard Black Angus a/k/a Black Angus Meats a/k/a Black Angus Meats & Seafood, Keegan Roberts, Diane Seibert, Robert Seibert ( Filing fee \$ 400 receipt number 0209-2183706.), filed by Darcy M Black. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit, # <u>3</u> Exhibit, # <u>4</u> Exhibit, # <u>5</u> Civil Cover Sheet, # <u>6</u> Summons)(Greco, Josephine) (Entered: 01/15/2015)
01/16/2015		Case Assigned to Hon. William M. Skretny. (DLC) (Entered: 01/16/2015)
01/16/2015		Notice of Availability of Magistrate Judge: A United States Magistrate of this Court is available to conduct all proceedings in this civil action in accordance with 28 U.S.C. 636c and FRCP 73. The Notice, Consent, and Reference of a Civil Action to a Magistrate Judge form is available for download at <a href="http://www.uscourts.gov/forms/AO085.pdf">http://www.uscourts.gov/forms/AO085.pdf</a> (DLC) (Entered: 01/16/2015)
01/16/2015		AUTOMATIC REFERRAL to Mediation The ADR Plan is available for download at <a href="http://www.nywd.uscourts.gov/alternative-dispute-resolution">http://www.nywd.uscourts.gov/alternative-dispute-resolution</a> (DLC) (Entered: 01/16/2015)
01/16/2015		E-Filing Notification: You must submit a summons for each defendant separately re <u>1</u> COMPLAINT against Buffalo Meat Service, Inc., Keegan Roberts, Diane Seibert, Robert Seibert (filed by Greco, Josephine) (DLC) (Entered: 01/16/2015)

9/15/2019

CM/ECF LIVE(C) - U.S. District Court:nywd

01/16/2015	<u>2</u>	CONTINUATION OF EXHIBITS by Darcy M Black. to <u>1</u> Complaint, filed by Darcy M Black. (Attachments: # <u>1</u> Summons for Buffalo Meat Service, Inc., # <u>2</u> Summons for Robert Seibert, # <u>3</u> Summons for Diane Seibert, # <u>4</u> Summons for Keegan Roberts)(Greco, Josephine) (Entered: 01/16/2015)
01/20/2015	<u>3</u>	Summons Issued as to Buffalo Meat Service, Inc. d/b/a Boulevard Black Angus a/k/a Black Angus Meats a/k/a Black Angus Meats & Seafood, Keegan Roberts, Diane Seibert, Robert Seibert. (Attachments: #(1) Summon II, #(2) Summon III, #(3) Summon IV.) (DLC) (Entered: 01/20/2015)
04/06/2015	<u>4</u>	AFFIDAVIT of Service for Summons and Complaint served on Buffalo Meat Service, Inc. on 03/27/2015, filed by Darcy M Black. (Greco, Josephine) (Entered: 04/06/2015)
04/06/2015	<u>5</u>	AFFIDAVIT of Service for Summons and Complaint served on Keegan Roberts on 03/27/2015, filed by Darcy M Black. (Greco, Josephine) (Entered: 04/06/2015)
04/06/2015	<u>6</u>	AFFIDAVIT of Service for Summons and Complaint served on Diane Seibert on 03/27/2015, filed by Darcy M Black. (Greco, Josephine) (Entered: 04/06/2015)
04/06/2015	<u>7</u>	AFFIDAVIT of Service for Summons and Complaint served on Robert Seibert on 03/27/2015, filed by Darcy M Black. (Greco, Josephine) (Entered: 04/06/2015)
04/17/2015	<u>8</u>	ANSWER to <u>1</u> Complaint, by Buffalo Meat Service, Inc. d/b/a Boulevard Black Angus a/k/a Black Angus Meats a/k/a Black Angus Meats & Seafood, Keegan Roberts, Diane Seibert, Robert Seibert.(Flynn-Kozara, Abigail) (Entered: 04/17/2015)
04/17/2015	<u>9</u>	TEXT REFERRAL ORDER - Hon. Hugh B. Scott, United States Magistrate Judge, is hereby designated to act in this case as follows: Pursuant to 28 U.S.C. § 636(b)(1)(A), all pre-trial matters in this case are referred to the above-named United States Magistrate Judge, including but not limited to: (1) conduct of a scheduling conference and entry of a scheduling order pursuant to Fed. R. Civ. P. 16, (2) hearing and disposition of all non-dispositive motions or applications, (3) supervision of discovery, and (4) supervision of all procedural matters involving the aforementioned or involving the preparation of the case or any matter therein for consideration by the District Judge. The Magistrate Judge shall not hear and report upon dispositive motions for the consideration of the District Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and (C), unless further ordered by this Court. All motions or applications shall be filed with the Clerk and made returnable before the Magistrate Judge. The parties are encouraged to consider the provisions of 28 U.S.C. § 636(c) governing consent to either partial or complete disposition of the case, including trial if necessary, by the Magistrate Judge. Consent forms are available from the office of the Magistrate Judge or the office of the Clerk of Court. IT IS SO ORDERED. Issued by Senior United States District Judge William M. Skretny on 4/17/2015. (JCD) (Entered: 04/17/2015)
04/20/2015		ADR Plan electronically forwarded to attorneys. The ADR Plan is available for download at <a href="http://www.nywd.uscourts.gov/alternative-dispute-resolution(DLC)">http://www.nywd.uscourts.gov/alternative-dispute-resolution(DLC)</a> (Entered: 04/20/2015)
04/27/2015	<u>10</u>	<p style="text-align: center;"><b>ORDER OF MAGISTRATE JUDGE HUGH B. SCOTT</b></p> <p style="text-align: center;"><b>TEXT OF THE ORDER</b></p> <p>This case has been referred to the undersigned for pretrial proceedings. A scheduling conference will be held on <b>May 26, 2015 at 2:15 p.m.</b>, in the courtroom of the undersigned at 2 Niagara Square, Buffalo, New York.</p> <p>PRIOR TO THE SCHEDULING CONFERENCE, THE PARTIES ARE DIRECTED TO COMPLY WITH THE REQUIREMENTS OF RULE 26 OF THE FEDERAL RULES OF CIVIL PROCEDURE. This means that, at a minimum, (1) the parties are to have exchanged initial disclosures as required by Rule 26(a)(1); (2) the parties are to have met or conferred as required under Rule 26(f); and (3) the parties are to have submitted a proposed discovery</p>

9/15/2019

CM/ECF LIVE(C) - U.S. District Court:nywd

		<p>plan to the Court at least 7 days prior to the scheduling conference as also required by Rule 26(f).</p> <p>Also, the Magistrate Judge is available to conduct any or all proceedings in a jury or non-jury civil matter and to order the entry of judgment in the case pursuant to 28 U.S.C. 636(c). Attached hereto is a Notice of Right to Consent to Disposition of a Civil Case by a United States Magistrate Judge, together with a consent form, for consideration by the parties. The parties are encouraged to consider and act favorably on such consents; however, it is emphasized that there will be no substantive adverse consequences should the parties elect not to do so.</p> <p>So Ordered.</p> <p>Signed by Hon. Hugh B. Scott on 4/27/2015. (JRA) (Entered: 04/27/2015)</p>
05/19/2015	<u>11</u>	DISCOVERY PLAN by Darcy M Black.(Greco, Josephine) (Entered: 05/19/2015)
05/26/2015	<u>12</u>	<p style="text-align: center;"><b>MINUTES OF PROCEEDINGS</b></p> <p style="text-align: center;"><b>BEFORE MAGISTRATE JUDGE HUGH B. SCOTT</b></p> <p>A scheduling conference was held on May 26, 2015. Present: J. Greco for plaintiff; A. Flynn-Kozara for defendants. The parties have demonstrated the need for an extended discovery period in this matter. A scheduling order will be issued. (JRA) (Entered: 05/26/2015)</p>
05/26/2015	<u>13</u>	<p>SCHEDULING/CASE MANAGEMENT ORDER (Please Note: This docket text may <u>not</u> contain the entire contents of the attached Order. It is your responsibility to read the attached Order and download it for future reference. Direct any questions to the Chambers of the Judge who entered this Order.) Amended Pleadings due by 6/25/2015. Stipulation of Selection of Mediator due by 6/26/2015. First Mediation Session due by 8/21/2015. Plaintiff Expert Witness ID due by 4/4/2016. Defendant Expert Witness ID due by 5/19/2016. Discovery completed by 5/31/2016. Dispositive Motions due by 8/31/2016. Status Report due by 9/30/2016. Status Conference set for 10/12/2016 02:00 PM before Hon. Hugh B. Scott. Mediation To End by 10/31/2016. Signed by Hon. Hugh B. Scott on 5/26/2015. (JRA) (Entered: 05/26/2015)</p>
06/23/2015	<u>14</u>	Stipulation-Selection of Mediator by Buffalo Meat Service, Inc. d/b/a Boulevard Black Angus a/k/a Black Angus Meats a/k/a Black Angus Meats & Seafood, Keegan Roberts, Diane Seibert, Robert Seibert(Flynn-Kozara, Abigail) (Entered: 06/23/2015)
06/23/2015	<u>15</u>	Stipulation-Selection of Mediator by Buffalo Meat Service, Inc. d/b/a Boulevard Black Angus a/k/a Black Angus Meats a/k/a Black Angus Meats & Seafood, Keegan Roberts, Diane Seibert, Robert Seibert(Flynn-Kozara, Abigail) (Entered: 06/23/2015)
07/29/2015	<u>16</u>	Mediation Certification by Lindy Korn(Korn, Lindy) (Entered: 07/29/2015)
10/09/2015	<u>17</u>	<p style="text-align: center;"><b>ORDER OF MAGISTRATE JUDGE HUGH B. SCOTT</b></p> <p style="text-align: center;"><b>TEXT ORDER re <u>13</u> Scheduling Order FORM</b></p> <p>Due to the holiday, Status Conference reset for <b>Thur., 10/13/2016, 2:00 PM</b>, before Hon. Hugh B. Scott.</p> <p>So Ordered. Signed by Hon. Hugh B. Scott on 10/9/2015. (DRH) (Entered: 10/09/2015)</p>
02/04/2016	<u>18</u>	NOTICE by Buffalo Meat Service, Inc. d/b/a Boulevard Black Angus a/k/a Black Angus Meats a/k/a Black Angus Meats & Seafood, Keegan Roberts, Diane Seibert, Robert Seibert (Oppenheimer, Randolph) (Entered: 02/04/2016)



9/15/2019

CM/ECF LIVE(C) - U.S. District Court:nywd

02/04/2016	<u>19</u>	NOTICE of Appearance by Megan Elizabeth Moran on behalf of Buffalo Meat Service, Inc. d/b/a Boulevard Black Angus a/k/a Black Angus Meats a/k/a Black Angus Meats & Seafood, Keegan Roberts, Diane Seibert, Robert Seibert (Moran, Megan) (Entered: 02/04/2016)
03/28/2016	<u>20</u>	Joint MOTION for Extension of Time to Complete Discovery by Darcy M Black. (Attachments: # <u>1</u> Affidavit Declaration of Duane D. Schoonmaker, # <u>2</u> Exhibit, # <u>3</u> Certificate of Service)(Schoonmaker, Duane) (Entered: 03/28/2016)
03/29/2016	21	<p align="center"><b>ORDER OF MAGISTRATE JUDGE HUGH B. SCOTT</b></p> <p align="center"><b>TEXT ORDER granting <u>20</u> Motion for Extension of Time to Complete Discovery</b></p> <p>Court to enter Amended Scheduling Order consistent with agreed dates of the parties.</p> <p>So Ordered. Signed by Hon. Hugh B. Scott on 3/29/2016. (DRH) (Entered: 03/29/2016)</p>
03/29/2016	22	<p align="center"><b>ORDER OF MAGISTRATE JUDGE HUGH B. SCOTT</b></p> <p align="center"><b>TEXT ORDER re <u>13</u> Scheduling Order FORM, <u>17</u> Text Order, Set Hearings, Terminate Scheduling Order Deadlines, <u>21</u> Order on Motion for Extension of Time to Complete Discovery,</b></p> <p align="center"><b>FIRST AMENDED SCHEDULING/CASE MANAGEMENT ORDER</b></p> <p>(Please Note: It is your responsibility to read this Order and download it for future reference. Direct any questions to the Chambers of the Judge who entered this Order.)</p> <p>Plaintiff Expert Witness ID due by 7/11/2016, Motions to Compel Discovery due by 7/29/2016, Defendant Expert Witness ID due by 8/12/2016, Discovery completed by 8/29/2016.</p> <p>Dispositive Motions due by 11/28/2016.</p> <p>Mediation To End by 1/6/2017.</p> <p>If no motions are filed, Status Report due by 1/6/2017. Status Conference set for <b>Wed., 1/11/2017, 11:00 AM</b>, before Hon. Hugh B. Scott.</p> <p>So Ordered. Signed by Hon. Hugh B. Scott on 3/29/2016. (DRH) (Entered: 03/29/2016)</p>
06/29/2016	<u>23</u>	MOTION to Compel , MOTION to Expedite , MOTION for Extension of Time to Complete Discovery , MOTION for Discovery <i>Leave to Serve Interrogatories</i> by Darcy M Black. (Attachments: # <u>1</u> Affidavit Declaration of Duane D. Schoonmaker, Esq., # <u>2</u> Exhibit Exhibits A - L, # <u>3</u> Memorandum in Support, # <u>4</u> Certificate of Service)(Schoonmaker, Duane) (Entered: 06/29/2016)
06/30/2016	24	<p align="center"><b>ORDER OF MAGISTRATE JUDGE HUGH B. SCOTT</b></p> <p align="center"><b>TEXT ORDER re <u>22</u> Text Order, Scheduling Order, Terminate Scheduling Order Deadlines, Set Deadlines, <u>23</u> MOTION to Compel, MOTION to Expedite MOTION for Extension of Time to Complete Discovery, MOTION for Discovery <i>Leave to Serve Interrogatories</i> filed by Darcy M Black</b></p> <p>Plaintiff's Motion for Expedited Hearing is granted in part, in that the Scheduling Order (Docket No. 22) deadlines are held in abeyance pending resolution of plaintiff's other motions (including plaintiff's expert disclosure deadline), but denied in part. The briefing schedule for plaintiff's other Motions (Docket No. 23) is as follows: Responses due by 7/20/2016, Replies due by 8/2/2016, motions deemed submitted (without oral argument) on 8/2/2016.</p>

9/15/2019

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		So Ordered. Signed by Hon. Hugh B. Scott on 6/30/2016. (DRH) (Entered: 06/30/2016)
07/20/2016	<u>25</u>	RESPONSE in Opposition re <u>23</u> MOTION to Compel MOTION to Expedite MOTION for Extension of Time to Complete Discovery MOTION for Discovery <i>Leave to Serve Interrogatories</i> filed by Buffalo Meat Service, Inc. d/b/a Boulevard Black Angus a/k/a Black Angus Meats a/k/a Black Angus Meats & Seafood. (Attachments: # <u>1</u> Certificate of Service) (Moran, Megan) (Entered: 07/20/2016)
08/02/2016	<u>26</u>	REPLY to Response to Motion re <u>23</u> MOTION to Compel MOTION to Expedite MOTION for Extension of Time to Complete Discovery MOTION for Discovery <i>Leave to Serve Interrogatories</i> filed by Darcy M Black. (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Certificate of Service)(Schoonmaker, Duane) (Entered: 08/02/2016)
08/16/2016	<u>27</u>	<p style="text-align: center;"><b>ORDER OF MAGISTRATE JUDGE HUGH B. SCOTT</b></p> <p><b>ORDER re 22 Text Order, Scheduling Order, Terminate Scheduling Order Deadlines, Set Deadlines, <u>23</u> MOTION to Compel MOTION to Expedite MOTION for Extension of Time to Complete Discovery MOTION for Discovery <i>Leave to Serve Interrogatories</i> filed by Darcy M Black, Motions terminated: <u>23</u> MOTION to Compel MOTION to Expedite MOTION for Extension of Time to Complete Discovery MOTION for Discovery <i>Leave to Serve Interrogatories</i> filed by Darcy M Black,</b></p> <p style="text-align: center;"><b>SECOND AMENDED SCHEDULING/CASE MANAGEMENT ORDER</b></p> <p>(Please Note: This docket text may <u>not</u> contain the entire contents of the attached Order. It is your responsibility to read the attached Order and download it for future reference. Direct any questions to the Chambers of the Judge who entered this Order.)</p> <p>Plaintiff's Motion (Docket No. 23) to compel is granted in part, denied in part.</p> <p>Plaintiff's Motion (<i>id.</i>) to extended the Scheduling Order deadlines is granted. As a result, Plaintiff Expert Witness ID now due by 10/31/2016, Motions to Compel Discovery due by 11/15/2016, Defendant Expert Witness ID due by 11/30/2016, Discovery completed by 12/15/2016.</p> <p>Dispositive Motions due by 3/15/2017.</p> <p>Mediation To End by 3/23/2017.</p> <p>If no dispositive motions are filed, Status Report due by 3/23/2017. Status Conference set for <b>Wed., 4/12/2017, 10:30 AM</b>, before Hon. Hugh B. Scott.</p> <p>So Ordered. Signed by Hon. Hugh B. Scott on 8/16/2016. (DRH) (Entered: 08/16/2016)</p>
10/20/2016	<u>28</u>	MOTION to Expedite , MOTION to Compel , MOTION for Extension of Time to Complete Discovery by Darcy M Black. (Attachments: # <u>1</u> Affidavit, # <u>2</u> Exhibit Exhibits A-E, # <u>3</u> Certificate of Service)(Greco, Josephine) (Entered: 10/20/2016)
10/21/2016	29	<p style="text-align: center;"><b>ORDER OF MAGISTRATE JUDGE HUGH B. SCOTT</b></p> <p><b>TEXT ORDER re <u>28</u> MOTION to Expedite MOTION to Compel MOTION for Extension of Time to Complete Discovery filed by Darcy M Black, <u>27</u> Order, Set/Reset Motion and R&amp;R Deadlines/Hearings, Terminate Motions, Scheduling Order, Terminate Scheduling Order Deadlines, Set Deadlines</b></p> <p>Responses due by 11/15/2016, Replies due by 11/22/2016. Motion deemed submitted (without oral argument, at this time) on 11/22/2016. This Court reserves the right to schedule oral argument if it deems necessary. The deadlines of the Second Amended Scheduling Order (Docket No. 27) are held in abeyance pending resolution of this motion.</p>



9/15/2019

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		So Ordered. Signed by Hon. Hugh B. Scott on 10/21/2016. (DRH) (Entered: 10/21/2016)
11/15/2016	<u>30</u>	MEMORANDUM in Opposition re <u>28</u> MOTION to Expedite MOTION to Compel MOTION for Extension of Time to Complete Discovery filed by Buffalo Meat Service, Inc. d/b/a Boulevard Black Angus a/k/a Black Angus Meats a/k/a Black Angus Meats & Seafood. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(Moran, Megan) (Entered: 11/15/2016)
11/22/2016	<u>31</u>	REPLY to Response to Motion re <u>28</u> MOTION to Expedite MOTION to Compel MOTION for Extension of Time to Complete Discovery filed by Darcy M Black. (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Certificate of Service)(Greco, Josephine) (Entered: 11/22/2016)
11/29/2016	<u>32</u>	<p style="text-align: center;"><b>ORDER OF MAGISTRATE JUDGE HUGH B. SCOTT</b></p> <p style="text-align: center;"><b>ORDER granting in part and denying in part <u>28</u> Motion to Expedite; granting <u>28</u> Motion to Compel; granting <u>28</u> Motion for Extension of Time to Complete Discovery</b></p> <p>Scheduling Order amended (and to be entered in a separate Order).</p> <p>So Ordered. Signed by Hon. Hugh B. Scott on 11/29/2016. (DRH) (Entered: 11/29/2016)</p>
11/29/2016	<u>33</u>	<p style="text-align: center;"><b>ORDER OF MAGISTRATE JUDGE HUGH B. SCOTT</b></p> <p style="text-align: center;"><b>THIRD AMENDED SCHEDULING/CASE MANAGEMENT ORDER</b></p> <p>(Please Note: This docket text may <u>not</u> contain the entire contents of the attached Order. It is your responsibility to read the attached Order and download it for future reference. Direct any questions to the Chambers of the Judge who entered this Order.)</p> <p>As indicated in the Order (Docket No. 32, Order at 17-18) granting plaintiff's Motion to extend, the Second Amended Scheduling Order is amended as follows:</p> <p>Plaintiff Expert Witness ID now due by 3/1/2017, Motions to Compel Discovery due by 3/17/2017, Defendant Expert Witness ID due by 4/3/2017, Discovery completed by 4/18/2017.</p> <p>Dispositive Motions due by 7/17/2017.</p> <p>Mediation To End by 7/31/2017.</p> <p>If no dispositive motions are filed, Status Report due by 7/31/2017. Status Conference set for <b>Wed., 8/9/2017, 10:30 AM</b>, before Hon. Hugh B. Scott.</p> <p>So Ordered. Signed by Hon. Hugh B. Scott on 11/29/2016. (DRH) (Entered: 11/29/2016)</p>
02/17/2017	<u>34</u>	MOTION to Compel , MOTION for Extension of Time to Complete Discovery , MOTION to Expedite by Darcy M Black. (Attachments: # <u>1</u> Affidavit Declaration of Duane D. Schoonmaker, Esq., # <u>2</u> Exhibit Exhibits A-F, # <u>3</u> Certificate of Service)(Schoonmaker, Duane) (Entered: 02/17/2017)
02/21/2017	<u>35</u>	<p style="text-align: center;"><b>ORDER OF MAGISTRATE JUDGE HUGH B. SCOTT</b></p> <p style="text-align: center;"><b>TEXT ORDER re <u>34</u> MOTION to Compel MOTION for Extension of Time to Complete Discovery MOTION to Expedite filed by Darcy M Black</b></p> <p>As for plaintiff's Motion to Expedite (Docket No. 34) and as with her prior Motions (Docket Nos. 22, 28; <i>see</i> Docket Nos. 24, 29), the current Scheduling Order deadlines (Docket No. 33) held in abeyance while this motion is pending.</p>

9/15/2019

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		<p>As for plaintiff's third Motion to Compel and Motion for Extension of Time to Complete Discovery, Responses due by 3/7/2017, Replies due by 3/14/2017, Motion Hearing set for <b>Thur., 3/16/2017, 10:45 AM</b>, before Hon. Hugh B. Scott.</p> <p>Parties are to submit courtesy copies of their respective moving papers.. Signed by Hon. Hugh B. Scott on 2/21/2017. (DRH) (Entered: 02/21/2017)</p>
03/07/2017	<u>36</u>	<p>Cross MOTION to Compel by Buffalo Meat Service, Inc. d/b/a Boulevard Black Angus a/k/a Black Angus Meats a/k/a Black Angus Meats &amp; Seafood. (Attachments: # <u>1</u> Memorandum in Support of Def. Cross-Motion to Compel and in Opposition to Pl. Motion to Compel, # <u>2</u> Affidavit, # <u>3</u> Exhibit to Attorney Affidavit)(Moran, Megan) (Entered: 03/07/2017)</p>
03/07/2017	37	<p style="text-align: center;"><b>ORDER OF MAGISTRATE JUDGE HUGH B. SCOTT</b></p> <p style="text-align: center;"><b>TEXT ORDER re <u>36</u> Cross MOTION to Compel filed by Buffalo Meat Service, Inc. d/b/a Boulevard Black Angus a/k/a Black Angus Meats a/k/a Black Angus Meats &amp; Seafood</b></p> <p>Responses to defendants' cross-motion (Docket No. 36) due by 3/14/2017. Motion Hearing set for <b>Thur., 3/16/2017, 10:45 AM</b>, before Hon. Hugh B. Scott, with plaintiff's Motion (Docket No. 34). It is this Court's intention to hear both motions together.</p> <p>So Ordered. Signed by Hon. Hugh B. Scott on 3/7/2017. (DRH) (Entered: 03/07/2017)</p>
03/14/2017	<u>38</u>	<p>REPLY/RESPONSE to re <u>34</u> MOTION to Compel MOTION for Extension of Time to Complete Discovery MOTION to Expedite , <u>36</u> Cross MOTION to Compel filed by Darcy M Black. (Attachments: # <u>1</u> Exhibit Exhibits A - B, # <u>2</u> Memorandum in Support, # <u>3</u> Certificate of Service)(Schoonmaker, Duane) (Entered: 03/14/2017)</p>
03/16/2017	39	<p style="text-align: center;"><b>HONORABLE HUGH B. SCOTT</b></p> <p style="text-align: center;"><b>TEXT OF MINUTE ENTRY</b></p> <p style="text-align: center;">For proceedings held before Magistrate Judge Hugh B. Scott</p> <p>Duane Schoonmaker, Esq., for plaintiff; Megan Moran, Esq., and Randolph Oppenheimer, Esq., for defendants</p> <p>Oral Argument held on 3/16/2017 on plaintiff's Motion (Docket No. 34) to compel and defendants' cross Motion (Docket No. 36) to compel. As for the latter, the parties report that plaintiff has produced some authorizations and other sought documents and agreed to her deposition; that deposition shall be conducted by 5/31/2017. Plaintiff still objects to producing her tax returns.</p> <p>As for plaintiff's motion, defendants argued that they produced relevant documents.</p> <p>Motions deemed submitted, including plaintiff's Motion (Docket No. 34) seeking extension of the Scheduling Order. This Court intends to address the schedule for this case in considering the pending motions to compel. (DRH) (Entered: 03/16/2017)</p>
03/31/2017	<u>40</u>	<p style="text-align: center;"><b>ORDER OF MAGISTRATE JUDGE HUGH B. SCOTT</b></p> <p style="text-align: center;"><b>ORDER re <u>33</u> Terminate Scheduling Order Deadlines,, Set Deadlines, <u>34</u> MOTION to Compel MOTION for Extension of Time to Complete Discovery MOTION to Expedite filed by Darcy M Black, <u>36</u> Cross MOTION to Compel filed by Buffalo Meat Service, Inc. d/b/a Boulevard Black Angus a/k/a Black Angus Meats a/k/a Black Angus Meats &amp; Seafood, <u>32</u> Order on Motion to Expedite, Order on Motion to Compel, Order on Motion for Extension of Time to Complete Discovery</b></p>

9/15/2019

CM/ECF LIVE(C) - U.S. District Court:nywd

**FOURTH AMENDED SCHEDULING/CASE MANAGEMENT ORDER**

(Please Note: This docket text may not contain the entire contents of the attached Order. It is your responsibility to read the attached Order and download it for future reference. Direct any questions to the Chambers of the Judge who entered this Order.)

Plaintiff's Motion (Docket No. 34) to compel is granted; defendant's Cross-Motion (Docket No. 36) is granted in part, denied in party and deemed moot where plaintiff has produced (as indicated in this Order).

Plaintiff's Motion (Docket No. 34) to extend the Scheduling Order (Docket Nos. 32, 33) is granted. As a result, Plaintiff Expert Witness ID now due by 6/29/2017, Motions to Compel Discovery due by 7/14/2017, Defendant Expert Witness ID due by 7/28/2017, Discovery completed by 8/14/2017.

Dispositive Motions now due by 11/13/2017.

Mediation To End by 12/5/2017.

If no dispositive motions are filed, Status Report due by 12/5/2017. Status Conference set for **Wed., 12/13/2017, 10:30 AM**, before Hon. Hugh B. Scott.

Motions terminated: 34 MOTION to Compel MOTION for Extension of Time to Complete Discovery MOTION to Expedite filed by Darcy M Black, 36 Cross MOTION to Compel filed by Buffalo Meat Service, Inc. d/b/a Boulevard Black Angus a/k/a Black Angus Meats a/k/a Black Angus Meats & Seafood.

So Ordered. Signed by Hon. Hugh B. Scott on 3/31/2017. (DRH) (Entered: 03/31/2017)

04/04/2017	<u>41</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT of Motion Hearing held on March 16, 2017, before Judge Hugh B. Scott. Court Reporter/Transcriber Megan E. Pelka, Telephone number 716-364-6449. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER.. Redaction Request due 4/25/2017. Redacted Transcript Deadline set for 5/5/2017. Release of Transcript Restriction set for 7/3/2017. (KLH) (Entered: 04/04/2017)
04/05/2017	<u>42</u>	First MOTION for Reconsideration by Buffalo Meat Service, Inc. d/b/a Boulevard Black Angus a/k/a Black Angus Meats a/k/a Black Angus Meats & Seafood. (Attachments: # <u>1</u> Affidavit, # <u>2</u> Exhibit To Attorney Aff, # <u>3</u> Memorandum in Support)(Moran, Megan) (Entered: 04/05/2017)
04/06/2017	<u>43</u>	<p align="center"><b>ORDER OF MAGISTRATE JUDGE HUGH B. SCOTT</b></p> <p><b>TEXT ORDER re <u>40</u> Order, Scheduling Order, Set Deadlines, Terminate Motions, <u>42</u> First MOTION for Reconsideration filed by Buffalo Meat Service, Inc. d/b/a Boulevard Black Angus a/k/a Black Angus Meats a/k/a Black Angus Meats &amp; Seafood</b></p> <p>On defense Motion (Docket No. 42) for reconsideration, Responses due by 4/20/2017, Replies due by 4/27/2017, and motion deemed submitted (without oral argument unless scheduled by this Court upon review of papers) on 4/27/2017.</p> <p>As for the parties' positions on discovery costs (Docket No. 40, Order at 10, 11), the deadline to respond of 4/7/2017 is held in abeyance pending resolution of defendants' present motion.</p> <p>So Ordered. Signed by Hon. Hugh B. Scott on 4/6/2017. (DRH) (Entered: 04/06/2017)</p>
04/20/2017	<u>44</u>	RESPONSE in Opposition re <u>42</u> First MOTION for Reconsideration filed by Darcy M

9/15/2019

CM/ECF LIVE(C) - U.S. District Court:nywd

		Black. (Attachments: # <u>1</u> Exhibit Exhibits A - B, # <u>2</u> Memorandum in Support, # <u>3</u> Certificate of Service)(Schoonmaker, Duane) (Entered: 04/20/2017)
04/27/2017	<u>45</u>	REPLY to Response to Motion re <u>42</u> First MOTION for Reconsideration filed by Buffalo Meat Service, Inc. d/b/a Boulevard Black Angus a/k/a Black Angus Meats a/k/a Black Angus Meats & Seafood. (Bahas, Megan) (Entered: 04/27/2017)
06/14/2017	<u>46</u>	Joint MOTION for Extension of Time to Complete Discovery by Darcy M Black. (Attachments: # <u>1</u> Affidavit Declaration, # <u>2</u> Exhibit, # <u>3</u> Certificate of Service) (Schoonmaker, Duane) (Entered: 06/14/2017)
06/15/2017	47	<p style="text-align: center;"><b>ORDER OF MAGISTRATE JUDGE HUGH B. SCOTT</b></p> <p><b>TEXT ORDER re <u>40</u> Order, Scheduling Order, Set Deadlines, Terminate Motions, <u>46</u> Joint MOTION for Extension of Time to Complete Discovery filed by Darcy M Black,</b></p> <p style="text-align: center;"><b>FIFTH AMENDED SCHEDULING/CASE MANAGEMENT ORDER</b></p> <p>(Please Note: It is your responsibility to read this Order and download it for future reference. Direct any questions to the Chambers of the Judge who entered this Order.)</p> <p>The parties' joint Motion for extension of Scheduling Order deadlines (Docket No. 46) is granted; Motions terminated: <u>46</u> Joint MOTION for Extension of Time to Complete Discovery filed by Darcy M Black.</p> <p>As a result, Discovery now to be completed by 11/13/2017.</p> <p>Dispositive Motions due by 2/12/2018.</p> <p>Mediation To End by 2/27/2018.</p> <p>If no dispositive motions are filed, Status Conference set for <b>Wed., 3/7/2018, 10:30 AM</b>, before Hon. Hugh B. Scott.</p> <p>So Ordered. Signed by Hon. Hugh B. Scott on 6/15/2017. (DRH) (Entered: 06/15/2017)</p>
06/23/2017	<u>48</u>	<p style="text-align: center;"><b>ORDER OF MAGISTRATE JUDGE HUGH B. SCOTT</b></p> <p><b>ORDER re <u>40</u> Order, Scheduling Order, Set Deadlines, Terminate Motions, <u>42</u> First MOTION for Reconsideration filed by Buffalo Meat Service, Inc. d/b/a Boulevard Black Angus a/k/a Black Angus Meats a/k/a Black Angus Meats &amp; Seafood, <u>47</u> Text Order, Scheduling Order, Terminate Scheduling Order Deadlines, Terminate Motions, Motions terminated: <u>42</u> First MOTION for Reconsideration filed by Buffalo Meat Service, Inc. d/b/a Boulevard Black Angus a/k/a Black Angus Meats a/k/a Black Angus Meats &amp; Seafood.</b></p> <p>Defendants' Motion for Reconsideration (Docket No. 42) of previous Order (Docket No. 40) is granted. As a result, plaintiff's Motion (Docket No. 34) to compel is granted; defendants' Cross-Motion (Docket No. 36) to compel is granted in part, and deemed moot where plaintiff has produced, as specified in this Order. Specifically, plaintiff is to produce her redacted tax returns. Plaintiff's earlier motion (Docket No. 28) remains denied.</p> <p>The Fourth Amended Scheduling Order (Docket No. 40) deadlines remain as ordered. Plaintiff's expert disclosure due 9/29/2017; defense expert disclosure due 10/30/2017.</p> <p>So Ordered. Signed by Hon. Hugh B. Scott on 6/23/2017. (DRH) (Entered: 06/23/2017)</p>
06/30/2017	49	<p style="text-align: center;"><b>ORDER OF MAGISTRATE JUDGE HUGH B. SCOTT</b></p>



9/15/2019

CM/ECF LIVE(C) - U.S. District Court:nywd

		<p><b>TEXT ORDER re <u>48</u> Order, Set Deadlines, Terminate Motions, Set Scheduling Order Deadlines,</b></p> <p>Factoring in time for either side to file objections to the Order (Docket No. 48), <i>see</i> Fed. R. Civ. P. 72(a), the deadline for motion costs applications (termed Cross Motions here) reset, now due by 7/10/2017, Responses due by 7/17/2017. Applications deemed submitted (without oral argument) on 7/17/2017.</p> <p>So Ordered. Signed by Hon. Hugh B. Scott on 6/30/2017. (DRH) (Entered: 06/30/2017)</p>
07/10/2017	<u>50</u>	MOTION for Attorney Fees by Darcy M Black. (Attachments: # <u>1</u> Affidavit, # <u>2</u> Exhibit Exhibit A, # <u>3</u> Memorandum in Support, # <u>4</u> Certificate of Service)(Schoonmaker, Duane) (Entered: 07/10/2017)
07/10/2017	<u>51</u>	MEMORANDUM in Support re <u>36</u> Cross MOTION to Compel / <i>Submission Concerning Costs</i> filed by Buffalo Meat Service, Inc. d/b/a Boulevard Black Angus a/k/a Black Angus Meats a/k/a Black Angus Meats & Seafood. (Attachments: # <u>1</u> Affidavit)(Bahas, Megan) (Entered: 07/10/2017)
07/17/2017	<u>52</u>	RESPONSE in Opposition re <u>36</u> Cross MOTION to Compel / <i>Submission Concerning Application for Costs by Defendants</i> filed by Darcy M Black. (Attachments: # <u>1</u> Exhibit Exhibits A - K, # <u>2</u> Memorandum in Support, # <u>3</u> Certificate of Service)(Schoonmaker, Duane) (Entered: 07/17/2017)
07/17/2017	<u>53</u>	RESPONSE to Motion re <u>50</u> MOTION for Attorney Fees <i>and in further support of Defendants' Request For Costs</i> filed by Buffalo Meat Service, Inc. d/b/a Boulevard Black Angus a/k/a Black Angus Meats a/k/a Black Angus Meats & Seafood. (Bahas, Megan) (Entered: 07/17/2017)
08/03/2017	<u>54</u>	<p><b>ORDER OF MAGISTRATE JUDGE HUGH B. SCOTT</b></p> <p><b>ORDER granting <u>50</u> Motion for Attorney Fees</b></p> <p>Plaintiff's motion for attorney's fees is granted in part, plaintiff is awarded \$4,220.00 against defendants and their counsel jointly. Defendants' cross-motion (Docket No. 51) to recover their motion costs is denied. Court Clerk to enter judgment as to this attorney's fee award.</p> <p>So Ordered. Signed by Hon. Hugh B. Scott on 8/3/2017. (DRH)</p> <p>-CLERK TO FOLLOW UP- (Entered: 08/03/2017)</p>
08/17/2017	<u>55</u>	OBJECTIONS to Order on Motion for Attorney Fees,, <u>54</u> filed by Defendant Buffalo Meat Service, Inc. d/b/a Boulevard Black Angus a/k/a Black Angus Meats a/k/a Black Angus Meats & Seafood.. (Attachments: # <u>1</u> Affidavit In Support of Objections, # <u>2</u> Memorandum in Support of Objections)(Bahas, Megan) (Entered: 08/17/2017)
08/18/2017	56	SCHEDULING NOTICE on <u>55</u> Objections on <u>54</u> Order regarding Attorney Fees. Response due by 8/31/2017. Reply due by 9/7/2017. Oral Argument will be scheduled by the Court as necessary. (MEAL) (Entered: 08/18/2017)
08/29/2017	<u>57</u>	MOTION for Extension of Time to File Response/Reply to <i>Defendants' Objections to Magistrate Judge's Rule 37(a)(5) Sanctions Order</i> by Darcy M Black. (Attachments: # <u>1</u> Declaration, # <u>2</u> Certificate of Service)(Greco, Josephine) (Entered: 08/29/2017)
08/30/2017	58	TEXT ORDER. IT HEREBY IS ORDERED THAT, the Plaintiff's <u>57</u> Motion for Extension of Time to a File Response to Defendants' <u>55</u> Objections to the <u>54</u> Order on Attorney Fees is GRANTED. Plaintiff's response is now due 9/7/2017. Defendants' reply is now due 9/14/2017. SO ORDERED. Issued by William M. Skretny, United States District Judge on 8/30/2017. (MEAL) (Entered: 08/30/2017)

9/15/2019

CM/ECF LIVE(C) - U.S. District Court:nywd

09/07/2017	<u>59</u>	MEMORANDUM IN OPPOSITION re <u>55</u> Objections -- non-motion, by Darcy M Black. (Attachments: # <u>1</u> Affidavit, # <u>2</u> Certificate of Service)(Schoonmaker, Duane) (Entered: 09/07/2017)
09/14/2017	<u>60</u>	REPLY/RESPONSE to re <u>59</u> Memorandum in Opposition filed by Buffalo Meat Service, Inc. d/b/a Boulevard Black Angus a/k/a Black Angus Meats a/k/a Black Angus Meats & Seafood. (Bahas, Megan) (Entered: 09/14/2017)
09/25/2017	61	<p style="text-align: center;"><b>TEXT ORDER</b></p> <p>A magistrate judge's Decision and Order resolving a non-dispositive, pretrial matter is reconsidered by the district judge only when it has been established that it is clearly erroneous or contrary to law. See 28 U.S.C. Section 636(b)(1)(A). Having thoroughly reviewed the magistrate judge's <u>54</u> Order, this Court finds that it has not been established that the Order is clearly erroneous or contrary to law. Accordingly, finding no error, the <u>55</u> appeal is DENIED.</p> <p>SO ORDERED.</p> <p>Issued by William M. Skretny, United States District Judge on 9/24/2017. (MEAL) (Entered: 09/25/2017)</p>
10/12/2017	<u>62</u>	MOTION to Expedite , MOTION to Compel , MOTION for Extension of Time to Complete Discovery by Darcy M Black. (Attachments: # <u>1</u> Affidavit Declaration, # <u>2</u> Exhibit Exhibit A, # <u>3</u> Exhibit Exhibit B, # <u>4</u> Certificate of Service)(Schoonmaker, Duane) (Entered: 10/12/2017)
10/12/2017	<u>63</u>	MOTION for Extension of Time to Complete Discovery <i>and</i> MOTION to Expedite by Buffalo Meat Service, Inc. d/b/a Boulevard Black Angus a/k/a Black Angus Meats a/k/a Black Angus Meats & Seafood. (Attachments: # <u>1</u> Affidavit In Support, # <u>2</u> Exhibit To Attorney Affidavit)(Bahas, Megan) (Entered: 10/12/2017)
10/13/2017	64	<p style="text-align: center;"><b>ORDER OF MAGISTRATE JUDGE HUGH B. SCOTT</b></p> <p style="text-align: center;"><b>TEXT ORDER re <u>62</u> MOTION to Expedite MOTION to Compel MOTION for Extension of Time to Complete Discovery filed by Darcy M Black, <u>63</u> MOTION for Extension of Time to Complete Discovery <i>and</i> MOTION to Expedite filed by Buffalo Meat Service, Inc. d/b/a Boulevard Black Angus a/k/a Black Angus Meats a/k/a Black Angus Meats &amp; Seafood, <u>48</u> Order, Set Deadlines, Terminate Motions, Set Scheduling Order Deadlines, 47 Text Order, Scheduling Order, Terminate Scheduling Order Deadlines, Terminate Motions</b></p> <p>Plaintiff moves to compel defendants to appear at depositions (Docket No. 62), while defendants move to complete discovery (namely seeking production of plaintiff's medical records) and extension of their expert disclosure deadline (Docket No. 63). Both sides (Docket Nos. 62, 63) seek expedited hearing of their motions and for extensions of the Scheduling Order (Docket Nos. 47, 48) deadlines, but for different periods.</p> <p>Prior to scheduling briefing of these motions (and to allow parties time to resolve these discovery issues on their own) this Court orders the following: (1) Status Conference set for <b>Thur., 10/26/2017, 10:30 AM</b>, before Hon. Hugh B. Scott to discuss the issues under these motions without formally arguing them; (2) parties are to meet and confer, pursuant to Rule 37, prior to this conference to make their best efforts to resolve or at least narrow the discovery and scheduling issues in these motions; (3) deadlines in the current Scheduling Orders (Docket Nos. 47, 48) are <b>held in abeyance</b> pending the 10/26/2017 conference. This Court intends to learn what issues remain for judicial intervention at the 10/26 conference and either set a briefing schedule or reset the Scheduling Order deadlines.</p>



9/15/2019

CM/ECF LIVE(C) - U.S. District Court:nywd

		So Ordered. Signed by Hon. Hugh B. Scott on 10/13/2017. (DRH) (Entered: 10/13/2017)
10/26/2017	65	<p style="text-align: center;"><b>HONORABLE HUGH B. SCOTT</b></p> <p style="text-align: center;">TEXT OF MINUTE ENTRY</p> <p style="text-align: center;">For proceedings held before Magistrate Judge Hugh B. Scott</p> <p>Josephine Greco, Esq., for plaintiff; Randolph Oppenheimer, Esq., and Megan Bahas, Esq., for defendants</p> <p>Status Conference held on 10/26/2017. Defense seeks plaintiff's mental health records but have had difficulties obtaining them (represented to be thousands of pages). Defense may seek court subpoena from the Court Clerk pursuant to Rule 45.</p> <p>Defendants agree to schedule plaintiff's deposition of their witnesses (9 in total) and agreed upon a period of time from 10/26/2017 to 1/31/2018 to conduct these depositions and will work with plaintiff's counsel to schedule the remaining case. This Court encouraged the parties to work out these dates. Defense seeks to schedule plaintiff's deposition for 1/23/2018, but plaintiff's counsel was to confer with her client to confirm her availability.</p> <p>This Court to deem moot the parties' motions (Docket Nos. 62, 63) and issue an Amended Scheduling Order with discovery deadline on Monday, 4/16/2018, with other deadlines to be adjusted accordingly. (DRH) (Entered: 10/26/2017)</p>
10/26/2017	66	<p style="text-align: center;"><b>ORDER OF MAGISTRATE JUDGE HUGH B. SCOTT</b></p> <p style="text-align: center;"><b>TEXT ORDER, SIXTH AMENDED SCHEDULING/CASE MANAGEMENT ORDER</b></p> <p style="text-align: center;"><b>TEXT ORDER re 65 Terminate Hearings, Status Conference, 48 Order, Set Deadlines, Terminate Motions, Set Scheduling Order Deadlines, 47 Text Order, Scheduling Order, Terminate Scheduling Order Deadlines, Terminate Motions</b></p> <p>(Please Note: It is your responsibility to read this Order and download it for future reference. Direct any questions to the Chambers of the Judge who entered this Order.)</p> <p>So much of Plaintiff's Motion (Docket No. 62) for extension of the Scheduling Order is granted.</p> <p>Plaintiff Expert Witness ID due by 1/16/2018, Defendant Expert Witness ID due by 2/15/2018, Motions to Compel Discovery due by 3/16/2018, Discovery completed by 4/16/2018.</p> <p>Dispositive Motions due by 7/16/2018.</p> <p>Mediation To End by 7/25/2018.</p> <p>If no dispositive motions, Status Report due by 7/25/2018, Status Conference set for <b>Wed., 8/8/2018, 10:30 AM</b>, before Hon. Hugh B. Scott.</p> <p>So Ordered. Signed by Hon. Hugh B. Scott on 10/26/2017. (DRH) (Entered: 10/26/2017)</p>
03/16/2018	<u>67</u>	<p>MOTION to Compel, <i>to Obtain an Award of Reasonable Expenses, and for Sanctions</i> by Buffalo Meat Service, Inc. d/b/a Boulevard Black Angus a/k/a Black Angus Meats a/k/a Black Angus Meats &amp; Seafood. (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Affidavit, # <u>3</u> Exhibit A to Attorney Affidavit, # <u>4</u> Exhibit B to Attorney Affidavit, # <u>5</u> Exhibit C to Attorney Affidavit, # <u>6</u> Exhibit D to Attorney Affidavit)(Bahas, Megan) (Entered: 03/16/2018)</p>

9/15/2019

CM/ECF LIVE(C) - U.S. District Court:nywd

03/19/2018	68	<p align="center"><b>ORDER OF MAGISTRATE JUDGE HUGH B. SCOTT</b></p> <p><b>TEXT ORDER re <u>67</u> MOTION to Compel , to Obtain an Award of Reasonable Expenses, and for Sanctions filed by Buffalo Meat Service, Inc. d/b/a Boulevard Black Angus a/k/a Black Angus Meats a/k/a Black Angus Meats &amp; Seafood, 66 Terminate Deadlines, Terminate Scheduling Order Deadlines,, Text Order, Terminate Motions, Set Deadlines</b></p> <p>On defense motion to compel and for recovery of expenses (Docket No. 67), Responses due by 4/17/2018, Replies due by 4/24/2018, motion deemed submitted (without oral argument, unless scheduled by this Court) on 4/24/2018. Parties are to submit courtesy copies of moving papers to Chambers of the undersigned.</p> <p>The pending Scheduling Order deadlines (Docket No. 66) are <b>held in abeyance</b> pending resolution of this motion to compel.. Signed by Hon. Hugh B. Scott on 3/19/2018. (DRH) (Entered: 03/19/2018)</p>
04/17/2018	<u>69</u>	CROSS-MOTION for Attorneys' Fees and Costs, Compelling Defendants to Comply with W.D.N.Y.R. CIV.P.26(d); and RESPONSE in Opposition to <u>67</u> MOTION to Compel , to Obtain an Award of Reasonable Expenses, and for Sanctions and in Support of Plaintiffs Cross-Motion filed by Darcy M Black. (Attachments: # <u>1</u> Declaration, # <u>2</u> Exhibit, # <u>3</u> Exhibit, # <u>4</u> Exhibit, # <u>5</u> Exhibit, # <u>6</u> Exhibit, # <u>7</u> Exhibit, # <u>8</u> Exhibit, # <u>9</u> Exhibit, # <u>10</u> Exhibit, # <u>11</u> Exhibit, # <u>12</u> Memorandum in Opposition, # <u>13</u> Certificate of Service)(Greco, Josephine) Modified on 4/18/2018 to correct event (KLH). (Entered: 04/17/2018)
04/18/2018		E-Filing Notification regarding <u>69</u> Response in Opposition and Cross-Motion: This document contains a request for relief and should be filed as a motion. The event has been corrected and no additional action by the filer is required. (KLH) (Entered: 04/18/2018)
04/18/2018	<u>70</u>	MOTION to Strike <u>69</u> MOTION for Attorney Fees by Buffalo Meat Service, Inc. d/b/a Boulevard Black Angus a/k/a Black Angus Meats a/k/a Black Angus Meats & Seafood. (Attachments: # <u>1</u> Affidavit)(Oppenheimer, Randolph) (Entered: 04/18/2018)
04/18/2018	<u>71</u>	MOTION to Expedite <i>the hearing on Defendants motion to strike Plaintiffs cross-motion</i> by Buffalo Meat Service, Inc. d/b/a Boulevard Black Angus a/k/a Black Angus Meats a/k/a Black Angus Meats & Seafood. (Attachments: # <u>1</u> Affidavit)(Oppenheimer, Randolph) (Entered: 04/18/2018)
04/20/2018	72	<p align="center"><b>ORDER OF MAGISTRATE JUDGE HUGH B. SCOTT</b></p> <p><b>TEXT ORDER re 68 Text Order, Set/Reset Motion and R&amp;R Deadlines/Hearings, <u>67</u> MOTION to Compel , to Obtain an Award of Reasonable Expenses, and for Sanctions filed by Buffalo Meat Service, Inc. d/b/a Boulevard Black Angus a/k/a Black Angus Meats a/k/a Black Angus Meats &amp; Seafood, <u>70</u> MOTION to Strike <u>69</u> MOTION for Attorney Fees filed by Buffalo Meat Service, Inc. d/b/a Boulevard Black Angus a/k/a Black Angus Meats a/k/a Black Angus Meats &amp; Seafood, <u>69</u> MOTION for Attorney Fees filed by Darcy M Black, <u>71</u> MOTION to Expedite <i>the hearing on Defendants motion to strike Plaintiffs cross-motion</i> filed by Buffalo Meat Service, Inc. d/b/a Boulevard Black Angus a/k/a Black Angus Meats a/k/a Black Angus Meats &amp; Seafood, 66 Terminate Deadlines, Terminate Scheduling Order Deadlines, Text Order, Terminate Motions, Set Deadlines,</b></p> <p>Status Conference set for <b>Thur., 4/26/2018, 11:00 AM</b>, in Orleans Courtroom (5W), US Courthouse, 2 Niagara Square, Buffalo, NY 14202-3350 before Hon. Hugh B. Scott. At this Conference, parties will discuss the propriety and scheduling for the pending motions (Docket Nos. 67, 69, 70). This will not constitute argument of the substance of any of these motions because this Court recognizes that all motions have yet to be fully briefed.</p>

9/15/2019

CM/ECF LIVE(C) - U.S. District Court:nywd

		<p>As a result, Motions terminated: <u>71</u> MOTION to Expedite <i>the hearing on Defendants motion to strike Plaintiffs cross-motion</i> filed by Buffalo Meat Service, Inc. d/b/a Boulevard Black Angus a/k/a Black Angus Meats a/k/a Black Angus Meats &amp; Seafood. The briefing schedule (Docket No. 68) for defendants' motion to compel (Docket No. 67) will be revised after this Conference as well as setting briefing schedule for the other motion(s) (Docket Nos. 69, 70) (if necessary).</p> <p>So Ordered. Signed by Hon. Hugh B. Scott on 4/20/2018. (DRH) (Entered: 04/20/2018)</p>
04/26/2018	<u>73</u>	<p>MOTION to Adjourn Status Conference <i>on April 26, 2018</i> by Darcy M Black.(Greco, Josephine) (Entered: 04/26/2018)</p>
04/26/2018	74	<p><b>ORDER OF MAGISTRATE JUDGE HUGH B. SCOTT</b></p> <p><b>TEXT ORDER re 72 Text Order, Set Hearings, Terminate Motions</b></p> <p>Upon plaintiff's counsel's emailed request to adjourn (letter Josephine Greco, Esq., to Chambers, 4/26/2018, not filed by Chambers), Status Conference reset for <b>Mon., 4/30/2018, 10:30 AM</b>, in Orleans Courtroom (5W), US Courthouse, 2 Niagara Square, Buffalo, NY 14202-3350 before Hon. Hugh B. Scott.</p> <p>So Ordered. Signed by Hon. Hugh B. Scott on 4/26/2018. (DRH) (Entered: 04/26/2018)</p>
04/27/2018	75	<p><b>ORDER OF MAGISTRATE JUDGE HUGH B. SCOTT</b></p> <p><b>TEXT ORDER terminating <u>73</u> Motion to Adjourn of status conference</b></p> <p>Adjournment granted, Docket No. 74. Motion terminated as moot.</p> <p>So Ordered. Signed by Hon. Hugh B. Scott on 4/27/2018. (DRH) (Entered: 04/27/2018)</p>
04/30/2018	<u>76</u>	<p>MOTION to Adjourn Status Conference <i>on April 30, 2018</i> by Darcy M Black.(Greco, Josephine) (Entered: 04/30/2018)</p>
04/30/2018	77	<p><b>ORDER OF MAGISTRATE JUDGE HUGH B. SCOTT</b></p> <p><b>TEXT ORDER re 68 Text Order, Set/Reset Motion and R&amp;R Deadlines/Hearings, <u>67</u> MOTION to Compel, to Obtain an Award of Reasonable Expenses, and for Sanctions filed by Buffalo Meat Service, Inc. d/b/a Boulevard Black Angus a/k/a Black Angus Meats a/k/a Black Angus Meats &amp; Seafood, 74 Text Order, Terminate Hearings, Set Hearings, <u>70</u> MOTION to Strike <u>69</u> MOTION for Attorney Fees filed by Buffalo Meat Service, Inc. d/b/a Boulevard Black Angus a/k/a Black Angus Meats a/k/a Black Angus Meats &amp; Seafood, <u>76</u> MOTION to Adjourn Status Conference <i>on April 30, 2018</i> filed by Darcy M Black, <u>69</u> MOTION for Attorney Fees filed by Darcy M Black, 66 Terminate Deadlines, Terminate Scheduling Order Deadlines, Text Order, Terminate Motions, Set Deadlines</b></p> <p>First, plaintiff's Motion (Docket No. 76) to adjourn 4/30/2018 Status Conference is granted; Motions terminated: <u>76</u> MOTION to Adjourn Status Conference <i>on April 30, 2018</i> filed by Darcy M Black.</p> <p>For the pending motions (Docket Nos. 67, 69, 70), Responses due by 6/5/2018, Replies due by 6/15/2018. Motion Hearing for all three motions (or status conference on issues of discovery and scheduling in this matter) set for <b>Tues., 6/19/2018, 10:30 AM</b>, in Orleans Courtroom (5W), US Courthouse, 2 Niagara Square, Buffalo, NY 14202-3350 before Hon. Hugh B. Scott.&lt;PThis Court notes the age of this case and the extend of discovery motion practice to date in this case. _</p> <p>So Ordered. Signed by Hon. Hugh B. Scott on 4/30/2018. (DRH) (Entered: 04/30/2018)</p>

9/15/2019

CM/ECF LIVE(C) - U.S. District Court:nywd

06/05/2018	<u>78</u>	RESPONSE in Opposition re <u>70</u> MOTION to Strike <u>69</u> MOTION for Attorney Fees filed by Darcy M Black. (Attachments: # <u>1</u> Certificate of Service)(Greco, Josephine) (Entered: 06/05/2018)
06/05/2018	<u>79</u>	RESPONSE in Opposition re <u>69</u> MOTION for Attorney Fees filed by Buffalo Meat Service, Inc. d/b/a Boulevard Black Angus a/k/a Black Angus Meats a/k/a Black Angus Meats & Seafood. (Attachments: # <u>1</u> Memorandum in Support of Declaration and in Opposition to Plaintiff's Cross Motion)(Oppenheimer, Randolph) (Entered: 06/05/2018)
06/15/2018	<u>80</u>	REPLY/RESPONSE to re <u>67</u> MOTION to Compel, <i>to Obtain an Award of Reasonable Expenses, and for Sanctions Reply Declaration in Further Support of Defendants Motion to Compel</i> filed by Buffalo Meat Service, Inc. d/b/a Boulevard Black Angus a/k/a Black Angus Meats a/k/a Black Angus Meats & Seafood. (Attachments: # <u>1</u> Memorandum in Support in Further Support of Defendants Motion to Compel)(Oppenheimer, Randolph) (Entered: 06/15/2018)
06/15/2018	<u>81</u>	MEMORANDUM in Support re <u>70</u> MOTION to Strike <u>69</u> MOTION for Attorney Fees <i>Reply in Further Support</i> filed by Buffalo Meat Service, Inc. d/b/a Boulevard Black Angus a/k/a Black Angus Meats a/k/a Black Angus Meats & Seafood. (Oppenheimer, Randolph) (Entered: 06/15/2018)
06/15/2018	<u>82</u>	REPLY to Response to Motion re <u>69</u> MOTION for Attorney Fees <i>Costs, and an Order Requiring Defendants to Comply with W.D.N.Y. R. CIV. P. 26(d)</i> filed by Darcy M Black. (Attachments: # <u>1</u> Declaration, # <u>2</u> Exhibit K-M, # <u>3</u> Certificate of Service)(Greco, Josephine) (Entered: 06/15/2018)
06/19/2018	83	<p style="text-align: center;"><b>HONORABLE HUGH B. SCOTT</b></p> <p style="text-align: center;">TEXT OF MINUTE ENTRY</p> <p style="text-align: center;">For proceedings held before Magistrate Judge Hugh B. Scott</p> <p>Josephine Greco, Esq., for plaintiff; Randolph Oppenheimer, Esq., for defendants</p> <p>Oral Argument held on 6/19/2018. Motions argued and Court reserves decision. (DRH) (Entered: 06/19/2018)</p>
06/29/2018	<u>84</u>	<p style="text-align: center;"><b>ORDER OF MAGISTRATE JUDGE HUGH B. SCOTT</b></p> <p><b>ORDER granting in part and denying in part <u>67</u> Motion to Compel; granting in part and denying in part <u>69</u> Motion for Attorney Fees; denying <u>70</u> Motion to Strike <u>67</u> MOTION to Compel, <i>to Obtain an Award of Reasonable Expenses, and for Sanctions</i>, <u>70</u> MOTION to Strike <u>69</u> MOTION for Attorney Fees, <u>69</u> MOTION for Attorney Fees</b></p> <p>Defendants' Motion (Docket No. 67) to compel is granted in part, denied in part; plaintiff's deposition is to resume but for up to 1 1/2 hours and scope as defined in this Order. Plaintiff's Cross-Motion (Docket No. 69) is granted in part, denied in part. Apportionment of discovery sanctions deferred until the conclusion of this action. Defendants' Motion (Docket No. 70) to strike is denied.</p> <p>Seventh Amended Scheduling Order included in this Order (and to be separately refiled).</p> <p>So Ordered. Signed by Hon. Hugh B. Scott on 6/29/2018.</p> <p>(Attachments: # <u>1</u> Attachment: excerpt of Plaintiff's Transcript, pages 299-308, Docket No. 67, Defs. Atty. Affirm., Ex. A) (DRH) (Entered: 06/29/2018)</p>
06/29/2018	85	<p style="text-align: center;"><b>ORDER OF MAGISTRATE JUDGE HUGH B. SCOTT</b></p>



9/15/2019

CM/ECF LIVE(C) - U.S. District Court:nywd

**TEXT ORDER re 84 Order on Motion to Compel, Order on Motion to Strike, Order on Motion for Attorney Fees, 66 Terminate Deadlines, Terminate Scheduling Order Deadlines, Text Order, Terminate Motions, Set Deadlines,**

**SEVENTH AMENDED SCHEDULING/CASE MANAGEMENT ORDER**

(Please Note: It is your responsibility to read this Order and download it for future reference. Direct any questions to the Chambers of the Judge who entered this Order.)

As ordered (Docket No. 84, Order of 6/29/2018 at 24) Motions to Compel Discovery now due by 8/3/2018. Plaintiff's deposition shall be completed no later than 8/31/2018. Discovery completed by 9/10/2018.

Dispositive Motions due by 12/10/2018.

Mediation To End by 1/4/2019.

If no dispositive motions are filed, Status Report due by 1/4/2019. Status Conference set for **Wed., 1/9/2019, 10:30 AM**, in US Courthouse [in a Courtroom to be announced later], 2 Niagara Square, Buffalo, NY 14202-3350 before Hon. Hugh B. Scott.

Given the age of this action, this is intended to be the **FINAL** amendment to the Scheduling Order in this case.

So Ordered. Signed by Hon. Hugh B. Scott on 6/29/2018. (DRH) (Entered: 06/29/2018)

07/13/2018 86 NOTICE OF FILING OF OFFICIAL TRANSCRIPT of Proceedings held on June 19, 2018, before Judge Hugh B. Scott. Court Reporter/Transcriber Michelle McLaughlin, Telephone number 716-332-3560. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER.. Redaction Request due 8/3/2018. Redacted Transcript Deadline set for 8/13/2018. Release of Transcript Restriction set for 10/11/2018. (KLH) (Entered: 07/13/2018)

07/13/2018 87 OBJECTIONS to Order on Motion to Compel,,,,, Order on Motion to Strike,,,,, Order on Motion for Attorney Fees,,,,, 84 filed by Plaintiff Darcy M Black.. (Attachments: # 1 Declaration, # 2 Exhibit A, # 3 Certificate of Service)(Greco, Josephine) (Entered: 07/13/2018)

07/23/2018 88 MOTION for Extension of Time to Complete Discovery *pending resolution of Plaintiff's Objections* by Darcy M Black.(Greco, Josephine) (Entered: 07/23/2018)

07/24/2018 89 **ORDER OF MAGISTRATE JUDGE HUGH B. SCOTT**  
  
**TEXT ORDER granting 88 Motion for Extension of Time to Complete Discovery**  
  
Plaintiff's Motion (Docket No. 88) is granted and the discovery deadlines (Docket Nos. 84, 85) are held in abeyance pending resolution of plaintiff's objections (Docket No. 87) to this Court's Order (Docket No. 84) pending before Judge Skretny.  
  
Upon that resolution, this Court will schedule a Status Conference to set (if necessary) new discovery deadlines and schedule for remaining pretrial events.  
  
So Ordered. Signed by Hon. Hugh B. Scott on 7/24/2018. (DRH) (Entered: 07/24/2018)

07/24/2018 90 SCHEDULING NOTICE on 87 Objections. Response due by 7/27/2018. Reply due by 8/3/2018. Oral Argument will be scheduled by the Court as necessary. (MEAL) (Entered: 07/24/2018)

9/15/2019

CM/ECF LIVE(C) - U.S. District Court:nywd

07/27/2018	<u>91</u>	REPLY/RESPONSE to re <u>87</u> Objections -- non-motion, filed by Buffalo Meat Service, Inc. d/b/a Boulevard Black Angus a/k/a Black Angus Meats a/k/a Black Angus Meats & Seafood, Keegan Roberts, Diane Seibert, Robert Seibert. (Attachments: # <u>1</u> Declaration Declaration of Randolph C. Oppenheimer)(Oppenheimer, Randolph) (Entered: 07/27/2018)
08/03/2018	<u>92</u>	REPLY/RESPONSE to re <u>91</u> Reply/Response, to <i>Plaintiff's Objections to the Magistrate Judge's Order</i> filed by Darcy M Black. (Attachments: # <u>1</u> Certificate of Service)(Greco, Josephine) (Entered: 08/03/2018)
08/24/2018	93	<p style="text-align: center;">TEXT ORDER</p> <p>A magistrate judge's Decision and Order resolving a non-dispositive, pretrial matter is reconsidered by the district judge only when it has been established that it is clearly erroneous or contrary to law. See 28 U.S.C. Section 636(b)(1)(A). Having thoroughly reviewed the magistrate judge's <u>84</u> Order, this Court finds that it has not been established that the Order is clearly erroneous or contrary to law. Accordingly, finding no error, the <u>87</u> appeal is DENIED.</p> <p>SO ORDERED.</p> <p>Issued by William M. Skretny, United States District Judge on 8/23/2018. (MEAL) (Entered: 08/24/2018)</p>
08/24/2018	94	<p style="text-align: center;"><b>ORDER OF MAGISTRATE JUDGE HUGH B. SCOTT</b></p> <p style="text-align: center;"><b>TEXT ORDER re 93 Order, 89 Order on Motion for Extension of Time to Complete Discovery, 85 Text Order, Scheduling Order, Terminate Scheduling Order Deadlines, Set Scheduling Order Deadlines, Set Deadlines/Hearings, 88 MOTION for Extension of Time to Complete Discovery pending resolution of Plaintiff's Objections filed by Darcy M Black</b></p> <p>With the resolution of plaintiff's Objections (Docket No. 87; see Docket No. 93), Status Conference set for <b>Wed., 9/5/2018, 10:30 AM</b>, in Orleans Courtroom (5W), US Courthouse, 2 Niagara Square, Buffalo, NY 14202-3350 before Hon. Hugh B. Scott to discuss and reset deadlines in Amended Scheduling Order (Docket No. 85) and establish milestones for completion of outstanding discovery (Docket No. 84).</p> <p>So Ordered. Signed by Hon. Hugh B. Scott on 8/24/2018. (DRH) (Entered: 08/24/2018)</p>
08/27/2018	<u>95</u>	Letter filed by Darcy M Black as to Diane Seibert, Robert Seibert, Buffalo Meat Service, Inc. d/b/a Boulevard Black Angus a/k/a Black Angus Meats a/k/a Black Angus Meats & Seafood, Keegan Roberts <i>requesting clarification of August 24, 2018 Order.</i> (Greco, Josephine) (Entered: 08/27/2018)
09/05/2018	96	<p style="text-align: center;"><b>HONORABLE HUGH B. SCOTT</b></p> <p style="text-align: center;">TEXT OF MINUTE ENTRY AND ORDER</p> <p style="text-align: center;">For proceedings held before Magistrate Judge Hugh B. Scott:</p> <p>Josephine Greco, Esq., for plaintiff; Randolph Oppenheimer, Esq., for defendants</p> <p>Status Conference held on 9/5/2018, after discussion on scope for completion of plaintiff's deposition, defendants have 90 minutes to conclude this deposition. The parties discussed dates in October 2018 to conduct the deposition, starting at 10 am to accommodate plaintiff. It is expected that this deposition will be conducted without rancor. Parties to agree upon a mutually convenient date, time (10 am start), and site for the completion of this deposition.</p>



9/15/2019

CM/ECF LIVE(C) - U.S. District Court:nywd

		<p>Further Status Conference set for <b>Wed., 10/10/2018, 2:00 PM</b>, in Orleans Courtroom (5W), US Courthouse, 2 Niagara Square, Buffalo, NY 14202-3350 before Hon. Hugh B. Scott, to reset the Scheduling Order deadlines.</p> <p>So Ordered. Signed by Hon. Hugh B. Scott on 9/5/2018. (DRH) (Entered: 09/05/2018)</p>
09/20/2018	97	<p><b>ORDER OF MAGISTRATE JUDGE HUGH B. SCOTT</b></p> <p><b>TEXT ORDER re 96 Terminate Hearings, Status Conference, Set Hearings</b></p> <p>Status Conference set for 10/10/2018, 2:00 PM, in new courtroom, <b>Allegany Courtroom (6E)</b>, in US Courthouse, 2 Niagara Square, Buffalo, NY 14202-3350 before Hon. Hugh B. Scott as previously ordered (Docket No. 96).</p> <p>So Ordered. Signed by Hon. Hugh B. Scott on 9/20/2018. (DRH) (Entered: 09/20/2018)</p>
10/10/2018	98	<p><b>HONORABLE HUGH B. SCOTT</b></p> <p>TEXT OF MINUTE ENTRY</p> <p>For proceedings held before Magistrate Judge Hugh B. Scott</p> <p>Josephine Greco, Esq., for plaintiff; Megan Bahas, Esq., for defendants</p> <p>Status Conference held on 10/10/2018. Parties report completion of plaintiff's deposition. Plaintiff's counsel reported plaintiff to undergo surgery and requests 8 weeks to report back. This Court to schedule a further status conference around that time. (DRH) (Entered: 10/10/2018)</p>
10/10/2018	99	<p><b>ORDER OF MAGISTRATE JUDGE HUGH B. SCOTT</b></p> <p><b>TEXT ORDER re 98 Terminate Hearings, Status Conference</b></p> <p>Scheduling Conference set for <b>Fri., 12/14/2018, 2:30 PM</b>, in Allegany Courtroom (6E), US Courthouse, 2 Niagara Square, Buffalo, NY 14202-3350 before Hon. Hugh B. Scott, as well as a further Status Conference set for 12/14/2018, 2:30 PM, in US Courthouse, 2 Niagara Square, Buffalo, NY 14202-3350 before Hon. Hugh B. Scott.</p> <p>So Ordered. Signed by Hon. Hugh B. Scott on 10/10/2018. (DRH) (Entered: 10/10/2018)</p>
10/18/2018	<u>100</u>	<p>MOTION to Adjourn Scheduling Conference by Darcy M Black.(Greco, Josephine) (Entered: 10/18/2018)</p>
10/22/2018	101	<p><b>ORDER OF MAGISTRATE JUDGE HUGH B. SCOTT</b></p> <p><b>TEXT ORDER granting <u>100</u> Motion to Adjourn of Scheduling Conference</b></p> <p>Scheduling Conference to be reset in separate Order.</p> <p>So Ordered. Signed by Hon. Hugh B. Scott on 10/22/2018. (DRH) (Entered: 10/22/2018)</p>
10/22/2018	102	<p><b>ORDER OF MAGISTRATE JUDGE HUGH B. SCOTT</b></p> <p><b>TEXT ORDER re 101 Order on Motion to Adjourn, 99 Text Order, Set Hearings</b></p> <p>At request of parties (Docket Nos. 100, 101), Scheduling Conference reset for <b>Thur., 12/13/2018, 2:00 PM</b>, in Allegany Courtroom (6E), US Courthouse, 2 Niagara Square, Buffalo, NY 14202-3350 before Hon. Hugh B. Scott.</p> <p>So Ordered. Signed by Hon. Hugh B. Scott on 10/22/2018. (DRH) (Entered: 10/22/2018)</p>

9/15/2019

CM/ECF LIVE(C) - U.S. District Court:nywd

12/13/2018	103	<p style="text-align: center;"><b>HONORABLE HUGH B. SCOTT</b></p> <p style="text-align: center;">TEXT OF MINUTE ENTRY</p> <p style="text-align: center;">For proceedings held before Magistrate Judge Hugh B. Scott</p> <p>Josephine Greco, Esq., for plaintiff; Megan Bahas, Esq., for defendants</p> <p>Status Conference held on 12/13/2018, plaintiff noted recovery from medical procedure and need additional time to complete discovery. Status Conference set for <b>Thur., 2/21/2019, 3:00 PM</b>, in Allegany Courtroom (6E), US Courthouse, 2 Niagara Square, Buffalo, NY 14202-3350 before Hon. Hugh B. Scott.</p> <p>So Ordered.</p> <p>Signed by Hon. Hugh B. Scott on 12/13/2108. (DRH) (Entered: 12/13/2018)</p>
02/21/2019	104	<p style="text-align: center;"><b>HONORABLE HUGH B. SCOTT</b></p> <p style="text-align: center;">TEXT OF MINUTE ENTRY</p> <p style="text-align: center;">For proceedings held before Magistrate Judge Hugh B. Scott</p> <p>Josephine Greco, Esq., plaintiff; Randolph Oppenheimer, Esq., for defendants</p> <p>Status Conference held on 2/21/2019. Plaintiff requested 90 days to complete discovery, primarily her deposition of non-party witness (including possible subpoena and procedures to obtain the testimony). Defendants voiced concern about case proceeding. This Court will enter an Amended Scheduling Order which grants plaintiff 90 days to complete discovery, but also notes age of this case. (DRH) (Entered: 02/21/2019)</p>
02/21/2019	105	<p style="text-align: center;"><b>ORDER OF MAGISTRATE JUDGE HUGH B. SCOTT</b></p> <p style="text-align: center;"><b>TEXT ORDER re 89 Order on Motion for Extension of Time to Complete Discovery, 85 Text Order, Scheduling Order, Terminate Scheduling Order Deadlines, Set Scheduling Order Deadlines, Set Deadlines/Hearings</b></p> <p style="text-align: center;"><b>EIGHTH AMENDED SCHEDULING/CASE MANAGEMENT ORDER</b></p> <p>(Please Note: It is your responsibility to read this Order and download it for future reference. Direct any questions to the Chambers of the Judge who entered this Order.)</p> <p>As stated in the Status Conference held in this case (Docket No. 104) and deadlines (Docket No. 85) having been held in abeyance (Docket No. 89), the Scheduling Order is amended as follows:</p> <p>Discovery now completed by 5/22/2019.</p> <p>Dispositive Motions due by 8/20/2019.</p> <p>If no dispositive motions are filed, Status Report due by 9/11/2019. Further Pretrial Conference set for <b>Wed., 9/18/2019, 2:15 PM</b>, in Allegany Courtroom (6E), US Courthouse, 2 Niagara Square, Buffalo, NY 14202-3350 before Hon. Hugh B. Scott.</p> <p>Mediation To End by 9/30/2019.</p> <p>As previously ordered (Docket No. 85) and given the age of this action, this is intended to be the <b>&lt;b&gt;FINAL</b> amendment to the Scheduling Order in this case. This Court will not entertain</p>

9/15/2019

CM/ECF LIVE(C) - U.S. District Court:nywd

		further motions to extend or amend this Scheduling Order absent good cause shown.  So Ordered. Signed by Hon. Hugh B. Scott on 2/21/2019. (DRH) (Entered: 02/21/2019)
08/20/2019	<u>106</u>	MOTION for Summary Judgment by Buffalo Meat Service, Inc. d/b/a Boulevard Black Angus a/k/a Black Angus Meats a/k/a Black Angus Meats & Seafood. (Attachments: # <u>1</u> Statement of Undisputed Facts, # <u>2</u> Appendix to Statement of Facts, # <u>3</u> Exhibit A, # <u>4</u> Exhibit B, # <u>5</u> Exhibit C, # <u>6</u> Exhibit D, # <u>7</u> Exhibit E, # <u>8</u> Exhibit F, # <u>9</u> Exhibit G, # <u>10</u> Exhibit H, # <u>11</u> Exhibit I, # <u>12</u> Exhibit J, # <u>13</u> Exhibit K, # <u>14</u> Exhibit L, # <u>15</u> Exhibit M, # <u>16</u> Exhibit N, # <u>17</u> Exhibit O, # <u>18</u> Exhibit P, # <u>19</u> Exhibit Q, # <u>20</u> Exhibit R, # <u>21</u> Exhibit S, # <u>22</u> Affidavit of Randolph Oppenheimer, # <u>23</u> Exhibit A to Affirmation, # <u>24</u> Exhibit B to Affirmation, # <u>25</u> Exhibit C to Affirmation, # <u>26</u> Memorandum in Support)(Oppenheimer, Randolph) (Entered: 08/20/2019)
08/21/2019	107	SCHEDULING NOTICE on Defendants' <u>106</u> Motion for Summary Judgment. Response due by 9/19/2019. Replies due by 10/3/2019. Oral argument will be scheduled by the Court as necessary.(JCM) (Entered: 08/21/2019)
08/23/2019	<u>108</u>	NOTICE of Appearance by Sarah Anne O'Brien on behalf of All Defendants (O'Brien, Sarah) (Entered: 08/23/2019)

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